

1 EDMUND G. BROWN JR.  
Attorney General of the State of California  
2 DANE R. GILLETTE  
Chief Assistant Attorney General  
3 GERALD A. ENGLER  
Senior Assistant Attorney General  
4 PEGGY S. RUFFRA  
Supervising Deputy Attorney General  
5 JEREMY FRIEDLANDER, State Bar No. 125138  
Deputy Attorney General  
6 455 Golden Gate Avenue, Suite 11000  
San Francisco, CA 94102-7004  
7 Telephone: (415) 703-5974  
Fax: (415) 703-1234  
8 Email: Jeremy.Friedlander@doj.ca.gov

9 Attorneys for Respondent

10  
11 IN THE UNITED STATES DISTRICT COURT  
12 FOR THE NORTHERN DISTRICT OF CALIFORNIA  
13 SAN FRANCISCO DIVISION  
14

15 AN DUY NGUYEN,

Petitioner,

16  
17 v.

18 MIKE EVANS, Warden,

19 Respondent.  
20

C 07-3979 SI (PR)

**DECLARATION OF JEREMY  
FRIEDLANDER IN SUPPORT  
OF THE EX PARTE  
APPLICATION FOR  
EXTENSION OF TIME**

21 1. I am a Deputy Attorney General of the State of California and am the attorney for  
22 respondent in the above-entitled case.

23 2. On September 18, 2007, the Court issued an order to show cause, directing  
24 respondent to file an answer and supporting points and authorities in this case on or before  
25 November 23, 2007.

26 3. I request an extension of sixty days, to January 22, 2008, within which to file the  
27 answer and supporting points and authorities.

28 4. Since the Court issued its order to show cause, I have filed an answer and lengthy

1 supporting points and authorities in *Valdovinos v. McGrath* (C 02-1704 CW; 10/10/07); a petition  
2 for certiorari in *Chrones v. Pulido* (07-544; 10/23/07); a motion to recall the mandate in *Pulido v.*  
3 *Chrones* (05-15916; 10/23/07); a respondent's brief in *People v. Rodriguez-Montero* (A116391;  
4 10/26/07), and a court-requested opposition to a writ of habeas corpus in *In re Voelker* (A119178).  
5 I have finished drafting and am about to file a respondent's brief in *People v. Maszewski* (A115723).  
6 The points and authorities in *Valdovinos* and the petition for certiorari in *Pulido* were particularly  
7 time-consuming projects, the former because of its length (78 pages, in response to pleadings of  
8 approximately 150 pages), the latter because of an exhaustive in-house review process.

9           5. I am currently working on a respondent's brief in *People v. Haynes* (A116296).  
10 Before reaching this assignment, I must complete a respondent's brief in *People v. Khensokvann et*  
11 *al.* (H030770) and a response to a Rule 60(b) motion in *Yates v. Ryan* (C 04-2445 WHA). I may  
12 be filing a response to the opposition in *Pulido*.

13           6. The instant case appears to require a substantial amount of work because (a) it  
14 appears to require a brief on the merits, and (b) it appears to raise two claims (from appellant's state  
15 habeas corpus petition) that the state did not address in state court. Appellant appears to raise at least  
16 eight distinct claims in all.

17 //

18 //

19 //

20 //

21 //

22

23

24

25

26

27

28

1 I declare under penalty of perjury that the foregoing is true and correct.

2 Dated: November 19, 2007

3 Respectfully submitted,

4 EDMUND G. BROWN JR.  
Attorney General of the State of California

5 DANE R. GILLETTE  
Chief Assistant Attorney General

6 GERALD A. ENGLER  
Senior Assistant Attorney General

7 PEGGY S. RUFFRA  
Supervising Deputy Attorney General

8  
9  
10 /s/ Jeremy Friedlander

11 JEREMY FRIEDLANDER  
12 Deputy Attorney General  
13 Attorneys for Respondent

14 JF:er

40188111.wpd

15 SF2007402579

**DECLARATION OF SERVICE BY U.S. MAIL**

Case Name: *Nguyen v. Evans*

No.: **C 07-3979 SI (PR)**

I declare:

I am employed in the Office of the Attorney General, which is the office of a member of the California State Bar, at which member's direction this service is made. I am 18 years of age or older and not a party to this matter. I am familiar with the business practice at the Office of the Attorney General for collection and processing of correspondence for mailing with the United States Postal Service. In accordance with that practice, correspondence placed in the internal mail collection system at the Office of the Attorney General is deposited with the United States Postal Service that same day in the ordinary course of business.

On November 20, 2007, I served the attached **1. EX PARTE APPLICATION FOR EXTENSION OF TIME; 2. DECLARATION OF JEREMY FRIEDLANDER; and 3. [PROPOSED] ORDER** by placing a true copy thereof enclosed in a sealed envelope with postage thereon fully prepaid, in the internal mail collection system at the Office of the Attorney General at 455 Golden Gate Avenue, Suite 11000, San Francisco, CA 94102-7004, addressed as follows:

An Duy Nguyen  
V-68985  
Salinas Valley State Prison  
P.O. Box 1050  
Soledad, CA 93960-1060

I declare under penalty of perjury under the laws of the State of California the foregoing is true and correct and that this declaration was executed on November 20, 2007, at San Francisco, California.

E. Rios

Declarant

*E. Rios*

Signature